



General Assembly

**Substitute Bill No. 5306**

February Session, 2010

\* \_\_\_\_HB05306PH\_\_\_\_032210\_\_\_\_ \*

**AN ACT CONCERNING THE OPERATION OF CHILD DAY CARE  
CENTERS AND GROUP DAY CARE HOMES IN PUBLIC SCHOOLS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (d) of section 19a-79 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2010*):

4 (d) Any child day care center or group day care home that operates  
5 in a public school building or in a nonpublic school approved by the  
6 State Board of Education and serves exclusively school-age children  
7 [may apply for a variance to] shall be exempt from the physical plant  
8 requirements adopted as regulations pursuant to subsection (a) of this  
9 section. [on a form and in the manner prescribed by the Commissioner  
10 of Public Health. The commissioner may not grant a variance under  
11 this subsection unless (1) the operator of a child day care center or  
12 group day care home provides documentation to the commissioner  
13 that the intent of the specific requirement or requirements affected by  
14 the variance will be satisfactorily achieved in a manner other than that  
15 prescribed by the regulations, and (2) the child day care center or  
16 group day care home and the Department of Public Health enter into a  
17 written agreement specifying the physical plant requirement or  
18 requirements affected by the variance, the duration of the variance and  
19 the terms under which the variance is granted. If a child day care

20 center or group day care home fails to comply with the terms of such  
 21 written agreement, the agreement and the variance shall be subject to  
 22 immediate cancellation. Any operator of a child day care center or  
 23 group day care home who is granted a variance under this section  
 24 shall post such variance in close proximity to the operator's license  
 25 and, at the time of enrollment of any child in the child day care center  
 26 or group day care home, and annually thereafter, notify the child's  
 27 parents or guardians of such variance. Such notification shall include  
 28 the specific physical plant requirement or requirements for which the  
 29 variance has been granted and an explanation of how the child day  
 30 care center or group day care home will achieve the intent of the  
 31 specific requirement or requirements affected by the variance in a  
 32 manner that protects the health and safety of the children enrolled in  
 33 the child day care center or group day care home.] Nothing in this  
 34 section shall be construed to exempt any child day care center or group  
 35 day care home that operates in a public school building or in a  
 36 nonpublic school approved by the State Board of Education and serves  
 37 exclusively school-age children from any other requirements adopted  
 38 as regulations pursuant to subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2010	19a-79(d)
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**PH**            *Joint Favorable Subst.*